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**MAY 27 2004**

**OFFICE OF PETITIONS**

In re Application of :  
Cody, et al. :  
Application No. 09/892,383 : ON PETITION  
Filed: June 26, 2001 :  
Attorney Docket No.: JHT-0104 :

This decision is in response to the petition under 37 CFR 1.137(b) filed January 16, 2004.

The petition is GRANTED.

This application became abandoned October 29, 2003 for failure to timely submit the issue fee, as required by the Notice of Allowance and Issue Fee Due ("Notice") mailed July 28, 2003. The Notice set a three month statutory period of time for reply. Notice of Abandonment was mailed December 10, 2003.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee, as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 CFR 1.137(b). Accordingly, the failure to timely submit issue fee is accepted as having been unintentionally delayed.

This application will be forwarded to publishing for processing into a patent.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0310.

A handwritten signature in cursive script, appearing to read "Alesia M. Brown".

Alesia M. Brown  
Senior Petitions Attorney  
Office of Petitions